

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: SAKAI et al.

Serial No.: 10/018,576

Filed: December 20, 2001

For: Positive Electrode Active Material For
Secondary Battery and Manufacturing Method
Thereof and Nonaqueous Electrolytic Solution
Secondary Battery Therewith, and Recovered
Electronic Functional Material and Reproduction
Method of Electronic Functional Material

Art Unit: 1752

Examiner: Hoa Van Le

Atty. Docket: 966928.00002

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to your telephone conversation with Joanna Dukovic on March 24, 2004, regarding the Restriction Requirement, dated March 12, 2004, requesting an election of claims in the above-referenced patent application, Applicants note that it does not appear that the Amendments as filed under Article 34 on May 28, 2001, and annexed to the International Preliminary Examination Report, have been recognized by the Examiner.

Attached with this response please find copies of the following documents:

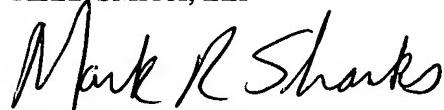
1. Copy of Amendment Under Article 34 as filed;
2. English translation of the amendments;
3. International Preliminary Examination Report; and
4. National phase filing postcard receipt, date-stamped December 20, 2001.

Applicants respectfully request that the Examiner consider the Article 34 Amendment and reissue an updated Office Action thereafter.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 50-0622.

Respectfully submitted,

REED SMITH, LLP



By: Mark R. Shanks
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Date: 3/25/04

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